

## REMARKS

Claims 1-22 were considered by the Examiner. Claims 1-22 stand rejected by the Examiner. In this response, claims 1 and 12 have been amended. Claims 1-22 are pending, and are believed to be allowable over the references cited by the Examiner as discussed below.

### Claim Rejections under 35 USC Sec. 103

Claims 1, 5, 7-9, 11-12, 17-20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dewan (USPN 7,043,008).

#### Claim 1

1. A method, comprising the steps of:
  - detecting voice activity on at least one of a receive and a transmit channel in a communications system;
  - outputting voicing decision outputs based on the step of detecting;
  - storing the voicing decision outputs over a period of time to memory; and
  - generating a voice activity performance metric comprising *a duration of voice activity* based on the voicing decision output stored in the memory.

Claim 1 teaches a method including detecting voice activity on at least one of a receive and a transmit channel in a communications system, and outputting voicing decision outputs based on the step of detecting. The method further includes storing the voicing decision outputs over a period of time to memory, and generating a voice activity performance metric including *a duration of voice activity* based on the voicing decision output stored in the memory.

Dewan does not teach or suggest generating a voice activity performance metric including a duration of voice activity. Rather, Dewan merely monitors the amplitude and/or frequency of the monitored signals and determines whether they fall outside a threshold range.

Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 1.

#### Claim 12

12. A system, comprising:

a voice activity detector (VAD) configured to detect voice activity on at least one of a receive and a transmit channel in a communications system;

a memory to store outputs from the VAD; and

a voice activity analyzer in communication with the memory, the voice activity analyzer being configured to generate a performance metric comprising *a duration of voice activity* based on the VAD outputs stored in the memory.

Claim 12 teaches a system including a voice activity detector (VAD), a memory to store outputs from the VAD, and a voice activity analyzer. The VAD is configured to detect voice activity on at least one of a receive and a transmit channel in a communications system. The voice activity analyzer is configured to generate a performance metric including *a duration of voice activity* based on the VAD outputs stored in the memory.

Dewan does not teach or suggest a voice activity analyzer configured to generate a voice activity performance metric including a duration of voice activity. Rather, Dewan merely monitors the amplitude and/or frequency of the monitored signals and determines whether they fall outside a threshold range.

Therefore, it is respectfully submitted that claim 12 is patentable over Dewan. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 12.

#### Claims 5, 7-9, 11, 17-20, and 22

Claims 5, 7-9, 11, 17-20, and 22, which depend variously from independent claims 1 and 12, are believed to be allowable for at least similar reasons as those discussed above. Withdrawal of the rejection of claims 5, 7-9, 11, 17-20, and 22 under 35 U.S.C. §103(a) is respectfully requested.

Claims 2-4, 6, 10, 13-16, and 21

Claims 2-4, 6, 10, 13-16, and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dewan in view of Maloney et. al. (USPN 5,696,811).

However, Maloney does not make up for the deficiencies of Dewan discussed above. Because claims 2-4, 6, 10, 13-16, and 21 are dependent variously from independent claims 1 and 12, they are also believed to be allowable for at least similar reasons as those discussed above.

Withdrawal of the rejection of claims 2-4, 6, 10, 13-16, and 21 under 35 U.S.C. §103(a) is respectfully requested.

### CONCLUSION

In view of the above amendments and remarks, allowance of the pending claims is respectfully requested.

Respectfully submitted,

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